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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/412,050	10/04/1999	JULIAN SINAI	03932.P007	9159

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09/09/2003

JORDAN M BECKER
BLAKELEY SOKOLOFF TAYLOR & ZAFMAN LLP
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 900251026

EXAMINER

KNEPPER, DAVID D

ART UNIT

PAPER NUMBER

2654

DATE MAILED: 09/09/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/412,050

Applicant(s)

SINAI ET AL.

Examiner

David D. Knepper

Art Unit

2654

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 Jun & 3 Jul 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: it does not overcome the art of record.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See Continuation Sheet



David D. Knepper
Examiner
Art Unit: 2654

Continuation of 10. Other: The responses indicate that the Interview was counterproductive since there does not seem to be an agreement even regarding prior art definitions. The applicant's remarks that the term "hypermedia" is not relevant to the application of cited art is confusing since this term appears in the claims. The applicant does nothing to overcome the Examiner's interpretation that a hypermedia page reads on a web page. On page 3 of paper 11, the applicant does admit that Marx discloses "graphical user interface", "dialogue modules" and that it can be "connected to the Internet". However, the applicant denies that connections to the Internet via an Internet Services Provider (ISP) would be an obvious method by which to achieve "operational links" capable of defining a spoken dialog interaction between a person and a machine. To the contrary, Marx teaches that it is known to combine "dialogue modules" to serve as building blocks for interactive speech applications and that they may be combined with "data communication services through the world wide packet data communication network now commonly referred to as the 'Internet'" (col. 6, lines 6-8). Marx clearly teaches that applications include communications over the Internet and "a variety of different programming languages may be used" (col. 6, lines 51-52). Butler teaches that "The application designer 32 comprises a development tool in JAVA byte code (program code) as an applet and downloadable from the web page as controlled by the internet server software 26" (col. 3, lines 57-60). Butler also teaches that "The use runs the web browser 38, connects to the web page stored by the server 10 and requests 60 the application designer JAVA applet 32" (col. 4, lines 56-58). Therefore, it would have been obvious to implement dialog modules built with a graphical user interface by establishing operational links between a hypermedia page and the dialogs because Butler teaches that it is well known to establish such links to program code such as a JAVA applets through web pages..